

RESOLUTION NO. A-_____

1 WHEREAS, it is desirable and in the public interest that the City of Lincoln,
2 Nebraska, a municipal corporation and a city of the primary class, undertake and carry
3 out urban redevelopment projects in areas of the City which are determined to be
4 substandard and blighted and in need of redevelopment; and

5 WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943,
6 as amended, known as the Community Development Law, is the urban renewal and
7 redevelopment law for the State of Nebraska and prescribes the requirements and
8 procedures for the planning and implementation of urban redevelopment projects; and

9 WHEREAS, the City in accordance with its Home Rule Charter and the laws of
10 the State of Nebraska applicable to cities of the primary class has duly prepared and
11 approved a general plan for the development of the City known as its Comprehensive
12 Plan, all as required by Section 18-2110, R.R.S. 1943; and

13 WHEREAS, this Council has received and duly considered evidence relating to
14 the present condition of the North 56th Street and Arbor Road Redevelopment Area, as
15 shown and described on Attachment "A"; and

16 WHEREAS, this Council has received and duly considered other evidence,
17 including evidence relating to the scope and limitations of the nearby redevelopment
18 plans in the area, and the inability of the other plans to effectively remedy the
19 substandard and blighted conditions;

1 WHEREAS, Article 8, Section 12 of the Constitution of the State of Nebraska
2 requires that said area must be found to be both substandard and blighted in order for
3 tax increment financing to be used in said area; and

4 WHEREAS, Section 18-2109, R.R.S. 1943, as amended, requires that prior to
5 the preparation by the City of an urban redevelopment plan for a redevelopment project
6 for the North 56th Street and Arbor Road Redevelopment Area, this Council as
7 governing body of the City, by resolution, after review and recommendation from the
8 Lincoln City Lancaster County Planning Commission, find and determine that said area
9 is both a substandard and blighted area as defined in said Community Development
10 Law, and in need of redevelopment; and

11 WHEREAS, on September 16, 2005 notice of public hearing was mailed, postage
12 prepaid, to the president or chairperson of the governing body of each county, school
13 district, community college, educational service unit, and natural resource district in
14 which the real property subject to such plan is located and whose property tax receipts
15 would be directly affected and to all registered neighborhood associations located in
16 whole or in part within one mile radius of the area to be redeveloped setting forth the
17 time, date, place, and purpose, of the public hearing to be held on September 28, 2005
18 before the Lincoln City - Lancaster County Planning Commission regarding the
19 proposed determination that the North 56th Street and Arbor Road Redevelopment
20 Area be declared a blighted and substandard area as defined in the Nebraska
21 Community Development Law, a copy of said notice and list of said registered
22 neighborhood associations having been attached hereto as Attachment "B" and "C"
23 respectively; and

1 WHEREAS, the Lincoln City-Lancaster County Planning Commission on
2 September 28, 2005 recommended that the North 56th Street and Arbor Road
3 Redevelopment Area be found to be both a substandard and blighted area as defined in
4 said Community Development Law and the evidence demonstrates that said North 56th
5 Street and Arbor Road Redevelopment Area as shown and described on Attachment
6 "A" constitutes both a substandard and blighted area as defined in said Community
7 Development Law, which area is in need of redevelopment.

8 WHEREAS, on October 10, 2005 a notice of public hearing was mailed, postage
9 prepaid, to the foregoing governing bodies and registered neighborhood associations
10 setting forth the time, date, place, and purpose of the public hearing before the City
11 Council to be held on October 24, 2005 regarding the proposed determination that the
12 North 56th Street and Arbor Road Redevelopment Area be declared a blighted and
13 substandard area as defined in the Nebraska Community Development Law, a copy of
14 said notice having been attached hereto as Attachment "D"; and

15 WHEREAS, on October 7, 2005 and October 14, 2005 a notice of public hearing
16 was published in the Lincoln Journal Star newspaper, setting forth the time, date, place,
17 and purpose of the public hearing to be held on October 24, 2005 regarding the
18 proposed determination that the North 56th Street and Arbor Road Redevelopment
19 Area be declared a blighted and substandard area as defined in the Nebraska
20 Community Development Law, a copy of such notice having been attached hereto and
21 marked as Attachment "E"; and

22 WHEREAS, on October 24, 2005 in the City Council Chambers of the County
23 City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public

1 hearing relating to the proposed that the North 56th Street and Arbor Road
2 Redevelopment Area be declared a blighted and substandard area as defined in the
3 Nebraska Community Development Law and all interested parties were afforded at such
4 public hearing a reasonable opportunity to express their views respecting said proposed
5 plan; and

6 WHEREAS, the City Council has duly considered all statements made and
7 materials submitted relating to said proposed determination.

8 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
9 Lincoln, Nebraska:

10 1. That it is hereby found and determined that the North 56th Street and
11 Arbor Road Redevelopment Area as shown and described on Attachment "A",
12 constitutes both a substandard and blighted area as defined by subsections (10) and
13 (11), respectively, of Section 18-2103, R.R.S. 1943, as amended, and that said area is
14 in need of redevelopment.

15 2. That it is hereby found and determined that substandard and blighted
16 conditions exist as set forth and discussed in Attachment "F" (entitled Blight and
17 Substandard Determination Study) attached hereto and incorporated herein as though
18 fully set forth verbatim.

19 3. That such substandard and blighted conditions are beyond remedy and
20 control solely by regulatory process and the exercise of police power and cannot be
21 dealt with effectively by the ordinary operations or private enterprise without the aids
22 provided by the Community Development law, specifically including Tax Increment
23 Financing. The elimination of said substandard and blighted conditions under the

1 authority of the Community Development Law is found to be a public purpose and in the
2 public interest.

3 4. That it is hereby found and determined that said area is an eligible site for
4 urban redevelopment projects under the provision of Chapter 18, Article 21, Nebraska
5 Revised Statutes of 1943, as amended.

6 BE IT FURTHER RESOLVED that the Department of Urban Development as the
7 duly designated community development agency for the City of Lincoln is hereby
8 authorized and directed to immediately proceed with the preparation of a new
9 redevelopment plan and associated projects for the North 56th Street and Arbor Road
10 Redevelopment Area, which plan shall be prepared in accordance with the requirements
11 and procedures of said Chapter 18, Article 21, for ultimate review and consideration by
12 this Council.

Introduced by:

Approved as to Form and Legality:

City Attorney

Approved this ____ day of _____, 2005:

Mayor